UNITED STATES PATENT AND TRADEMARK OFFICE

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10/688,075	10/17/2003	Thomas Huber	2050.085US1	8165

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EXAMINER
THOMAS, JASON M

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
12/09/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@slwip.com
request@slwip.com

	Application No.	Applicant(s)
Office Action Summary	10/688,075	HUBER ET AL.
	Examiner	Art Unit	
	Jason Thomas	2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>14 August 2009</u>.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-16</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-16</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>11/5/09</u>.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-16 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Matz, U.S. Pub. No. 2004/0261096 A1 (hereinafter Matz), in view of Allen, U.S. Pub.

No. 2004/0078814 A1 (hereinafter Allen), Miller, U.S. Pat. No. 7,266,832 B2

(hereinafter Miller), Hord et al., U.S. Pub. No. 2004/0034874 A1 (hereinafter Hord),

Boston, U.S. Pub. No. 2004/0003397 A1 (hereinafter Boston) and Pudar, U.S. Pub.

No. 2002/0184091 A1 (hereinafter Pudar).

Regarding claim 1: Matz teaches a method of presenting advertising in a

subscriber broadcast system, the method comprising: providing indicators for

content wherein said indicators include metadata which describes the content type

(see [13], [15], [45], [49], [82] for a broadcasting system designed to tag content prior

to being broadcast to client devices which is inclusive of advertisements and other

content items) and wherein set top box computer program code is to: compare the

first category indicator and the second category indicator to a stored category value

and select said second advertisement when a second category indicator

corresponds to said stored category value (see [76], [85], [112], [115] where each ad

content item received is compared to a stored category or weight value based on a

viewer profile) but does not teach: offering an upgraded advertising service;

receiving subscriptions to said upgraded advertising service; delivering set top box

computer program code to a plurality of set top boxes, receiving a plurality of video

feeds including a plurality of advertisements; including a priority level; or comparing

the first priority level and the second priority level; select said second advertisement

when the second category indicator corresponds to said stored category value and

the second priority level indicator is greater than or equal to said first priority level

indicator; or receiving from at least one subscriber a selection of a first priority level

associated with the first advertisement, and a second priority level associated with

the second advertisement, and storing the selection in a set top box of the at least

one subscriber.

Allen teaches a broadcasting system where a head-end component receives

a plurality of video feeds including a plurality of advertisements (see [fig. 1], [29]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the head-end of a cable service provider, as

taught by Matz by including a means to receive a plurality of video feeds which

include a plurality of ads, as taught by Allen, in order for the user to have a wide

variety of content including ads to provide to the viewer and to select from to compensate for the content which is blocked indicating that is not of any interest to the user (see [6], [13]).

Miller teaches offering upgraded advertising services and receiving subscriptions to said upgraded advertising services from viewers (see [abstract], [col. 10, ll. 7-22] where the subscriber must be opted-in to receive an ad substitution service, which reads on an upgraded service). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of presenting desired content to the viewer by providing viewers with an option to opt-in to receive interactive or substitute ads, as taught by Miller in order to provide viewers with the option to have a more interactive and user controlled viewing experience.

Hord teaches downloading software to a receiver device for the purpose of enabling the receiver to perform additional functions, which may not be available to the current user, as requested by the user or in response to a message from the headend (see [3], [28], [46], [50]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiving device by enabling it to receive computer program code to add additional functionality with respect to advertising services, as taught by Hord, in order to modify the operation of the client device by providing additional services to enhance the subscriber's experience.

Boston teaches a commercial (ad) distribution system (see [abstract], [2], [8]) where the ads to be inserted into the primary programming contain metadata which provides descriptive information to associate each ad with categories and rankings wherein a first (second, third, etc.) ad can be compared with another ad with respect to both its rank and category, to determine which ad is to be inserted based on the preferences which the viewer has selected to indicate the ranking of a particular ad (see also [fig. 4], [fig. 13], [54], [61], [67], [69] where preference data entered by the viewer is associated with ads to indicate a ranking, which reads on priority level, in addition to using ad categories such as genre, actors, associated programming etc. to identify a commercial that best suites a specific viewer; see also [96] where the comparison is based on both category and the ranking associated with a particular commercial) and also saved on the STB in the user's profile (see [63] where the viewer preferences which are stored on the STB are periodically sent to a service provider). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiving device of Matz by providing an alternate means of substituting ad content based on priority information, as taught by Boston, in order to maximize revenue by choosing ads which are of the most interest to the targeted viewer so that the selected ad will be consumed by the user in order to increase ad revenue.

While Boston teaches the use of the association of priorities with ad material to better target ads (see [67] where metadata can include preference data of the people that are being targeted), Boston does not explicitly teach wherein these

priorities are directly maintained within the metadata so that they can be transmitted

along with the ad. Pudar however teaches transmitting ad category information

along with ad priority information (see [fig. 8]). Therefore it would have been obvious

to one of ordinary skill in the art to modify the metadata transmitted with the ad by

including both the category and priority information in the ad, as taught by Pudar, to

provide a direct association between the ad material and its value to the customer

thus simplifying the processing required by the end user device.

Regarding claim 2: The combined teachings of Matz, in view of Allen, Miller,

Hord, Boston and Pudar, teach receiving a request for an advertising category from

at least one subscriber (see Matz [fig. 11]).

Regarding claim 3: The combined teachings of Matz, in view of Allen, Miller,

Hord, Boston and Pudar, teach broadcasting an advertising indicator that can be

retrieved using a network address (see Miller [col. 2, ll. 49-67] where ads can include

interactive triggers such as URL address).

Regarding claim 4: The combined teachings of Matz, in view of Allen, Miller,

Hord, Boston and Pudar, teach downloading an advertisement and corresponding

indicator to local storage of a set top box (see Matz [60], [65], [108] for storing tag

and content information at the set top device).

Regarding claim 5 The combined teachings of Matz, in view of Allen, Miller,

Hord, Boston and Pudar, teach selecting said plurality of advertisements based upon

demographic characteristics of said plurality of set top boxes (see Matz [46] for

associating tags with user classification s such as user demographics or usage

patterns based on generalized demographic information).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matz, in view

of Miller, Boston and Pudar.

Regarding claim 6: Matz teaches a method for displaying user selected

advertising in a subscriber broadcast system, the method comprising: requesting a

category of advertisement from a plurality of advertisement categories, the category

being selected by a subscriber, the selected category of advertisement having an

associated stored category value (see [fig. 11], [120] for selecting a category; see

[95] where each category may have a stored associated value or weight); receiving

a video signal comprising program content, a standard advertisement and an

advertisement indicator, wherein said advertisement indicator indicates a weight and

a category valued for an advertisement corresponding to the category (see [fig. 5-6],

[13] for receiving video content and ads with the associated tag (indicator) describing

the content received) however Matz does not teach requesting a selection of priority

levels associated with advertisements, the selection of priority levels being provided

by at least one subscriber and stored in a set top box of the at least one subscriber;

the selection of priority levels including a first priority level associated with a first

advertisement, and a second priority level associated with a second advertisement,

including a "priority" level indicator or determining if a standard advertisement may

be replaced with an upgraded advertisement; accessing upgraded advertisement

content if it is determined that said standard advertisement may be replaced with an

upgraded advertisement, wherein the upgraded advertisement content includes the

first advertisement and the second advertisement, and wherein a first advertisement

indicator including a first category indicator is associated with the first advertisement

and a second advertisement indicator a second category indicator is associated with

the second advertisement; selecting between said first advertisement and said

second advertisement by: comparing the first category indicator and the second

category indicator to a stored category value; comparing the first priority level and

the second priority level; and selecting said second advertisement when the second

category indicators correspond to said stored category value and the second priority

level indicator is greater than or equal to said first priority level; and displaying the

selected advertisement.

Miller teaches accessing upgraded advertising services and receiving

subscriptions to said upgraded advertising services from viewers (see [abstract],

[col. 10, ll. 7-22] where the subscriber must be opted-in to receive an ad substitution

service, which reads on an upgraded service). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to

modify the method of presenting desired content to the viewer by providing viewers

with an option to opt-in to receive interactive or substitute ads, as taught by Miller in

order to provide viewers with the option to have a more interactive and user

controlled viewing experience.

Boston teaches a commercial (ad) distribution system (see [abstract], [2], [8])

where the ads to be inserted into the primary programming contain metadata which

provides descriptive information to associate each ad with categories and rankings

based on received metadata wherein a first (second, third, etc.) ad can be compared

with another ad with respect to both its rank and category, to determine which ad is

to be inserted based on the preferences which the viewer has selected to indicate

the ranking of a particular ad (see also [fig. 4], [fig. 13], [54], [61], [67], [69] where

preference data entered by the viewer is associated with ads to indicate a ranking,

which reads on priority level, in addition to using ad categories such as genre,

actors, associated programming etc. which is requested by the system to process

and identify a commercial that best suites a specific viewer; see also [96] where the

comparison is based on both category and the ranking associated with a particular

commercial) and also saved on the STB in the user's profile (see [63] where the

viewer preferences which are stored on the STB are periodically sent to a service

provider). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify the receiving device of Matz by providing

an alternate means of substituting ad content based on priority information, as

taught by Boston, in order to maximize revenue by choosing ads which are of the

most interest to the targeted viewer so that the selected ad will be consumed by the

user in order to increase ad revenue.

While Boston teaches the use of the association of priorities with ad material

to better target ads (see [67] where metadata can include preference data of the

people that are being targeted), Boston does not explicitly teach wherein these

priorities are directly maintained within the metadata so that they can be transmitted

along with the ad. Pudar however teaches transmitting ad category information

along with ad priority information (see [fig. 8], [35] where metadata within the ad

must be requested in order to process and compare the data). Therefore it would

have been obvious to one of ordinary skill in the art to modify the metadata

transmitted with the ad by including both the category and priority information in the

ad, as taught by Pudar, to provide a direct association between the ad material and

its value to the customer thus simplifying the processing required by the end user

device.

4. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

    Miller, in view of Boston, Pudar and Dudkiewicz et al., U.S. Pat. No. 6,973,665 B2

    (hereinafter Dudkiewicz).

    Regarding claims 7 and 14: Miller teaches an upgraded advertising

production system (see [abstract] for opted-in subscribers receiving the ability to

receive advertisement swapping services) comprising: a processor (see [col. 3, ll. 1-

20], [col. 7, ll. 14-30] for having the ability to process using processors at a head-end

device); an advertisement detector to receive a video feed comprising program

content and advertising (see [fig. 1, item 16], [col. 3, ll. 1-20], [col. 10, ll. 7-22], [col.

12, ll. 7-33] for a device within the head-end capable of receiving a video feed

comprising program content and ads); and a channel multiplexer to receive said

program content, at least one ad and said at least on ad indicator and to format said

program content, said at least one ad and said at least on ad indicator for

transmission and a transmitter to transmit (see [col. 3, ll. 43-60] for multiplexing data

prior to streaming; see also [col. 3, ll. 21-42], [col. 6, ll. 51-62] for a transmitter to

transmit programming, ads and ad indicators to an end user device) but does not

teach an indicator (supplemental data) which includes a priority level and a category

indicator for a corresponding advertisement to allow a computer program code to

compare a first category indicator associated with a first advertisement and a second

category indicator associated with a second advertisement to a stored category

value, compare a first priority level associated with said first advertisement with a

second priority level associated with said second advertisement, and select said

second advertisement when the first and second category indicators correspond to

said stored category value and said second priority level is greater than or equal to

said first priority indicator or an advertisement indicator editor configured to create,

modify and delete at least on ad indicator associated with an advertisement, where

the priority level selections are received from at least one subscriber and stored in

the set top box.

Boston teaches a commercial (ad) distribution system (see [abstract], [2], [8])

where the ads to be inserted into the primary programming contain metadata which

provides descriptive information to associate each ad with categories and rankings

wherein a first (second, third, etc.) ad can be compared with another ad with respect

to both its rank and category, to determine which ad is to be inserted based on the

preferences which the viewer has selected to indicate the ranking of a particular ad

(see also [fig. 4], [fig. 13], [54], [61], [67], [69] where preference data entered by the

viewer is associated with ads to indicate a ranking, which reads on priority level, in

addition to using ad categories such as genre, actors, associated programming etc. to identify a commercial that best suites a specific viewer; see also [96] where the comparison is based on both category and the ranking associated with a particular commercial) and also saved on the STB in the user's profile (see [63] where the viewer preferences which are stored on the STB are periodically sent to a service provider). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiving device of Matz by providing an alternate means of substituting ad content based on priority information, as taught by Boston, in order to maximize revenue by choosing ads which are of the most interest to the targeted viewer so that the selected ad will be consumed by the user in order to increase ad revenue.

While Boston teaches the use of the association of priorities with ad material to better target ads (see [67] where metadata can include preference data of the people that are being targeted), Boston does not explicitly teach wherein these priorities are directly maintained within the metadata so that they can be transmitted along with the ad. Pudar however teaches transmitting ad category information along with ad priority information (see [fig. 8]). Therefore it would have been obvious to one of ordinary skill in the art to modify the metadata transmitted with the ad by including both the category and priority information in the ad, as taught by Pudar, to provide a direct association between the ad material and its value to the customer thus simplifying the processing required by the end user device.

Dudkiewicz teaches using programming indicators which include category indicators to describe the program and an editor that can create, modify and delete metadata containing indicator information for at least one programming indicator associated with the programming contained in said video feed (see [cols., 13-14, ll. 66-36]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the head-end system by including a means to create, modify and delete indicator information as taught by Dudkiewicz in order to provide a means for users with proper access to add, delete or change descriptive information as needed to better describe the programming content (see [cols. 13-14, ll.66-36]).

5. Claims 8, 11-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller, in view of Boston and Pudar.

Regarding claims 8 and 15: Miller teaches a set top box to selectively display upgraded advertising (see [abstract] for opted-in subscribers receiving the ability to receive advertisement swapping services) comprising: a processor (see [cols. 3-4, ll. 61-14], [cols. 9-10, ll. 64-6] for processors); an audio/video processor to output audio and video signals to a display unit (see [fig. 1, 34], [cols. 3-4, ll. 61-14] where audio/video processing and a audio/video processor is inherent in the process of sending the received signals containing audio/video to a television); and a tuner controlled by said processor to receive a video input comprising program content, ads and ad indicators (see [col. 9, ll. 22-35] for switching or adjusting the tuner of a STB to a specific channel to receive substitute ads and associated data) but does

not teach ads which include priority level and category indicators such that

programming is in place to compare a first and second category indicator to a stored

category value and compare the first and second priority level to select an ad with a

desired category indicator and priority level indicator which is greater than or equal

to an ad with a lesser priority indicator and as a result providing either the first or

second ad which fulfills the specified criteria indicated by the category and priority

information, the first and second priority levels being based on a priority level

selection, received by a subscriber broadcast system, from at least one subscriber

and stored in the set top box..

Boston teaches a commercial (ad) distribution system (see [abstract], [2], [8])

where the ads to be inserted into the primary programming contain metadata which

provides descriptive information to associate each ad with categories and rankings

wherein a first (second, third, etc.) ad can be compared with another ad with respect

to both its rank and category, to determine which ad is to be inserted based on the

preferences which the viewer has selected to indicate the ranking of a particular ad

(see also [fig. 4], [fig. 13], [54], [61], [67], [69] where preference data entered by the

viewer is associated with ads to indicate a ranking, which reads on priority level, in

addition to using ad categories such as genre, actors, associated programming etc.

to identify a commercial that best suites a specific viewer; see also [96] where the

comparison is based on both category and the ranking associated with a particular

commercial) and also saved on the STB in the user's profile (see [63] where the

viewer preferences which are stored on the STB are periodically sent to a service

provider; see [171] for implementation using software on a computer where it is well known in the art that programs can be broken down into individual functions, routines or modules to perform independent but related tasks). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiving device of Miller, by including a method to provide ad content based on viewer preferences using a processor to operate a first program (function) to compare category and priority obtained from information included in the metadata of the ad content and a second program (function) to present ads which are best suited to be used as a substitute ad according to category and ranking, as taught by Boston, in order to send ads to viewers that are better suited to the viewers' interests (see [5]).

While Boston teaches the use of the association of priorities with ad material to better target ads (see [67] where metadata can include preference data of the people that are being targeted), Boston does not explicitly teach wherein these priorities are directly maintained within the metadata so that they can be transmitted along with the ad. Pudar however teaches transmitting ad category information along with ad priority information (see [fig. 8]). Therefore it would have been obvious to one of ordinary skill in the art to modify the metadata transmitted with the ad by including both the category and priority information in the ad, as taught by Pudar, to provide a direct association between the ad material and its value to the customer thus simplifying the processing required by the end user device.

Regarding claim 9: The combined teachings of Miller, in view of Boston and Pudar, teach where the processor is to operate addition functions to process a user input and store said stored category value in said set top box (see Boston [63], [67], [96] where user preference containing category values as well as ads which are recorded containing metadata with category values such as genre, actors, etc. are stored on the DVR which reads on a STB; see also Pudar [23] where category values stored within ads are stored within a receiving device).

Regarding claims 11 and 12: The combined teachings of Miller, in view of Boston and Pudar, teach code which is inherent in the operation of a STB for adjusting a tuner to receive ads and acquiring ads across a network (see Miller [fig. 1], [col. 9, ll. 22-35] for switching or adjusting the tuner of a STB to a specific channel to receive substitute ads and associated data and where doing so is a part of acquiring ads across a network).

Regarding claim 13: The combined teachings of Miller, in view of Boston and Pudar, teach a video combiner to combine a portion of said first ad with a portion of said second ad (see Miller [col. 9, ll. 22-35] for combining video using picture-in-picture arrangements).

Regarding claim 16: The combined teachings of Miller, in view of Boston and Pudar teaches a system for the transmission and reception of ads for viewing but does not teach tracking and billing (see Pudar [abstract], [31], [34], [38] for tracking ads where detailed information regarding the ads played is recorded, including keeping a count of how many times a particular ad was played, and

teaches knowing the category data of each particular ad which is tracked, in addition

to creating billing information, which reads on a statement, which is returned to a

central facility to bill advertisers; see also Boston [figs. 3, 4, 7] [48], [69], [74] for

generating detailed reports based on viewer and ad data and generating reports

used to receive payment which reads on billing data).

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller, in

view of Boston, Pudar and Wachob, U.S. Pat. No. 5,155,591 (hereinafter Wachob).

Regarding claim 10: Miller, in view of Boston and Pudar, do not teach

computer program code that recognizes a remote control input as being specific to

one user and selects said stored category value from a plurality of stored category

values based upon an identifier of said one user (see Boston [171] where the system

is run a computer which uses software to operate where it is well known in the art

for software to consist of multiple code segments often referred to as functions or

modules which reads on a first, second, third, etc. program code).

Wachob teaches means implicit of executable instructions that recognize a

remote control input as being specific to one user and selects said stored category

value from a plurality of stored category values based upon an identifier of said one

user (see [figs. 2 & 4], [col. 1, ll. 48-55], [col. 2, ll. 10-23], [col. 2, ll. 37-42]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the set top box device by providing a means for

identifying multiple users, as taught in Wachob, in order to allow multiple viewers

with differing preference to live in the same location and use the same display

apparatus while still maintaining information unique to each viewer (see Wachob

[col. 2, ll. 13-17], [col. 2, ll. 37-40])..

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jason Thomas whose telephone number is (571) 270-

5080. The examiner can normally be reached on Mon. - Thurs., 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J. Thomas

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423